IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1062 OF 2006

G.S. Anand & Co. ...Petitioner

Versus

The State of Maharashtra and Anr. ... Respondents.

Mrs. A.P. Madhuri for the petitioner.
Mr. R.D. Rane, Government Pleader, for respondents.

CORAM: **V.G. PALSHIKAR, Ag. C.J.,** &
SMT. NISHITA MHATRE, J.
DATE: **FEBRUARY 23, 2006**.

P.C.

By this petition, the petitioner has impugned the action of the respondent-Regional Transport Officer (R.T.O.) of impounding and seizing the vehicles bearing Registration No. MH-26-8072 & DD-03-A-9590 belonging to the petitioner, as it violated the requirement of R.T.O. which does not permit plying of vehicles which are more than eight years' old. In similar circumstances, this Court was moved in Writ Petition No. 6086 of 2005. Taking into consideration peculiar circumstances in which the vehicles are prohibited from being plied within the limits of Greater

Bombay, it directed the disposal of the petition in the following terms:-

> “In these circumstances, this petition is disposed of by directing the petitioner to deposit with the Chief Minister's Relief Fund an amount of Rs.20,000/-. The petitioner shall deposit this amount with the second respondent who shall, in turn, forward the amount to the Chief Minister's Relief Fund. The petitioner shall file an undertaking before the second respondent that the vehicle shall not, hereafter, be plied within the municipal limits of Greater Mumbai. The second respondent shall, subject to compliance with the aforesaid conditions, release the vehicle only for one-way journey within the municipal limits of Greater Mumbai so as to enable the petitioner to take the vehicle outside the municipal limits.”

3. In our opinion, this petition can also be disposed of by accepting the request of the petitioner for depositing in Chief Minister's Fund an amount of Rs.20,000/- and on such deposit the petitioner will also file an undertaking before respondent No.2 that the vehicles shall not ply within municipal limits of Greater Bombay. Respondent No.2 is directed to seek compliance of the order and release the vehicle only for one way journey out of municipal limits of Greater Bombay. The petition is accordingly disposed of.